

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

MICHAEL A. EKIZIAN, M.D.
Plaintiff

v.

THE UNIVERSITY OF TEXAS HEALTH
SCIENCE CENTER AT HOUSTON,
THE UNIVERSITY OF TEXAS SYSTEM
MEDICAL FOUNDATION, INC. AND
MARK A. FARNIE, M.D.
Defendants

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C.A. No. 4:10-CV-04627

DEFENDANTS' TIMELINE

Defendants The University of Texas Health Science Center at Houston (“UTHealth”), The University of Texas System Medical Foundation, Inc. (the “Foundation”), and Mark A. Farnie, M.D., file this Timeline in accordance with the Court’s February 5, 2011, Order for Disclosure.

Date	Event
4/2005	Ekizian begins medical observorship with UTHealth Internal Medicine program.
4/2006	Texas Medical Board (“TMB”) enters Confidential Agreed Licensure Rehabilitation Order regarding Ekizian, which establishes the terms and conditions regarding Ekizian’s physician-in-training permit and his status and performance in the residency program.
5/2006	Ekizian begins a three-year Internal Medical Residency at UTHealth.
10/13/06	Farnie reports to TMB that Ekizian’s evaluations have been “superior in every regard” and that he “has had no academic or disciplinary problems.”
10/09/07	Farnie reports to TMB that Ekizian “has had no academic or disciplinary problems and is performing in an exemplary fashion.”
12/10/07	Meeting of Residency Clinical Competency Committee to discuss Ekizian’s performance problems in December rotation.

Date	Event
12/21/07	Farnie meets with Ekizian to discuss December performance problems and Ekizian's lack of satisfactory progress.
04/23/08	Farnie reports to TMB that Ekizian was "still on track to complete his two years of residency training on April 30, 2009."
05/08	Ekizian receives negative evaluations for his May 2008 rotation from his attending physician, co-resident, and intern.
06/09/08	Meeting of Residency Clinical Competency Committee to discuss Ekizian's performance in his May rotation.
06/13/08	Farnie meets with Ekizian to discuss his performance and continuation in the program.
06/17/08	Farnie sends letter of dismissal to Ekizian. Letter states, "the Department Education Committee has determined that you lack the minimum competencies that are essential for continuation in the program."
06/25/08	Farnie and Dr. Boisaubian meet with Ekizian and his father to discuss his dismissal. Farnie advises Ekizian of his option to appeal his dismissal.
07/08/08	Subcommittee of the Policy Review Committee meets in reponse to Ekizian's request for a review of his dismissal. The subcommittee upholds the dismissal and determines that Ekizian had been provided notice and opportunity to correct any academic deficiencies.
07/10/08	Farnie reports Ekizian's dismissal to TMB.
08/07/08	Ekizian meets with Dean Colasurdo regarding the appeal of his dismissal.
08/22/08	Dean Colasurdo informs Ekizian by letter that he is upholding Ekizian's dismissal.
12/15/08	Ekizian files a Charge of Discrimination (#460-2008-05597) with the EEOC, which asserts disability discrimination.
04/23/10	Ekizian files an amended Charge of Discrimination with the EEOC, which asserts disability discrimination and retaliation.
08/27/10	EEOC issues Ekizian a right-to-sue letter stating, "the EEOC is unable to conclude that the information obtained established violations of the statutes."

Respectfully submitted,

GREG ABBOTT
Attorney General of Texas

DANIEL T. HODGE
First Assistant Attorney General

BILL COBB
Deputy Attorney General for Litigation

DAVID C. MATTAX
Director of Defense Litigation

ROBERT O'KEEFE, Chief,
General Litigation Division

/s/ Darren G. Gibson
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Attorneys for Defendants

CERTIFICATE OF CONFERENCE

I certify that I have repeatedly tried to reach Plaintiff by telephone regarding the parties' duty to file a joint timeline pursuant to the Court's February 5, 2011, Order for Disclosure. I also attempted to send Plaintiff a draft joint timeline to his address of record, but the package was returned. Because I have been unable to contact Plaintiff, I therefore file this timeline on behalf of Defendants.

/s/ Darren G. Gibson
DARREN G. GIBSON
Assistant Attorney General

CERTIFICATE OF SERVICE

I certify that a true and correct copy of the foregoing instrument has been filed in accordance with the Electronic Case Files System of the Southern District of Texas and sent via Certified U.S. Mail, Return Receipt Requested, on February 18, 2011, to:

Michael Ekizian
7575 Kirby Drive #2422
Houston, Texas 77030
Plaintiff, Pro Se

/s/ Darren G. Gibson
DARREN G. GIBSON
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